

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BMMSOFT, INC.,

No. C-09-4562 MMC

Plaintiff,

**ORDER VACATING MAY 7, 2010
HEARING**

v.

WHITE OAKS TECHNOLOGY, INC.,

Defendant.

Before the Court is defendant White Oaks Technology, Inc. ("WOTI")'s "Motion for Summary Judgment on the First Cause of Action and to Dismiss the Second and Third Causes of Action for Lack of Supplemental Subject Matter Jurisdiction," filed March 24, 2010. On April 13, 2010, intervenor United States Department of the Air Force ("Air Force") filed a response, and, on April 19, 2010, plaintiff BMMSoft Inc. ("BMM") filed opposition. Thereafter, on April 23, 2010, WOTI and the Air Force filed separate replies to BMM's opposition. Having read and considered the papers filed in support of and in opposition to the motion, the Court finds the matter suitable for decision on the parties' respective submissions and hereby VACATES the hearing scheduled for May 7, 2010.

IT IS SO ORDERED.

Dated: May 5, 2010


MAXINE M. CHESNEY
United States District Judge